

CHAPTER 17. SMALL CLAIMS

17.1 Small Claims Procedures

All small claims documents, including complaints and counter claims, shall be completed by the parties. They shall be typed in conformance with local rule 7.8. Any forms deemed by the clerk of court not to be neat or legible shall not be filed.

Eff. Jan. 1, 1999. As amended, eff. Jan. 1, 2000.

17.2 Continuances

Continuances of small claim trials may be granted once by the clerk of court only if the request is made in person or in writing, made prior to the trial and/or upon a showing of good cause. On the date of the hearing, nonappearance by plaintiff or failure of proof of service cases may be dismissed without prejudice unless a continuance is granted by the court prior to the hearing date.

A request for continuance of a small claims hearing date (CCP section 116.570) may be made upon presentation of the form Request for Continuance and Clerk's Notice of Continuance to the clerk along with a \$10.00 nonrefundable fee where a proof of service on defendant has been filed or the defendant is requesting a postponement of the hearing date.

Request for reissue for non-service of the defendant of small claims hearing date may be granted by the clerk of court only if the request is made in person or in writing, made a least five calendar days before trial and/or upon a showing of good cause.

It is the policy of the court that all small claims cases which are not properly served by the date assigned for trial shall be dismissed without prejudice by the court.

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